

January 27, 2010

## **MINUTES OF A REGULAR MEETING OF THE TORRANCE ETHICS AND INTEGRITY COMMITTEE**

### **CALL TO ORDER**

The Torrance Ethics and Integrity Committee convened in a regular session at 6:30 p.m. on Wednesday, January 27, 2010, in the Human Resources Training Room, 3231 Torrance Boulevard.

### **ROLL CALL**

Present: Committee Members Gallagher, Gotshall, Matsuda, Montoya, and Chairman Payne.

Absent: None.

Also Present: Staff Liaison to the Committee Lohnes, Deputy City Attorney Strader, Management Aide Elmore and Mr. Len Wood.

### **FLAG SALUTE**

Chairman Payne led the Pledge of Allegiance.

### **ORAL COMMUNICATIONS #1**

None.

#### **1. Report of Staff on Posting of the Agenda**

Staff Liaison to the Committee Lohnes verified that the meeting agenda was properly posted.

#### **2. Approval of Minutes, December 16, 2009**

**MOTION:** Member Matsuda moved for the approval of the Ethics and Integrity Committee minutes of December 16, 2009 as written. The motion was seconded by Member Montoya and passed by unanimous roll call vote as shown on the following page:

Ethics and Integrity Committee  
January 27, 2010

Ayes: Gallagher, Matsuda, Montoya, and Chairman Payne.  
Noes: None.  
Abstain: Gotshall.  
Absent: None.

3. **DISCUSS AND RECOMMEND GUIDELINES FOR USE WHEN CONSIDERING APPOINTMENT OF CITY STAFF AS COMMISSIONERS IN ORDER TO AVOID THE APPEARANCE OF A CONFLICT OF INTEREST**

The Commission agreed to postpone discussion of Agenda Item No. 3 until after consideration of Agenda Item No. 4 (Workshop with Len Wood). Should the appointment of City staff as commissioners be postponed and considered at a future meeting, the Commission agreed that it should not be limited to avoiding the appearance of a conflict of interest.

Deputy City Attorney Strader advised that the wording for this item was taken from the Mayor's comments; but, eliminating the wording "in Order to Avoid the Appearance of a Conflict of Interest" from the title would allow for broader discussion.

**MOTION:** Chairman Payne moved to postpone discussion of Agenda Item No. 3 (Discuss and Recommend Guidelines for Use When Considering Appointment of City Staff as Commissioners in Order to Avoid the Appearance of a Conflict of Interest) until after Agenda Item No. 4 (Workshop with Len Wood). The motion was seconded by Member Gallagher and passed by unanimous roll call vote:

Ayes: Gallagher, Gotshall, Matsuda, Montoya and Chairman Payne.  
Noes: None.  
Abstain: None.  
Absent: None.

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Agenda Item No. 4 was considered out of order.

4. **WORKSHOP WITH LEN WOOD**

The Committee participated in a workshop presented by Mr. Len Wood, Len Wood & Associates, the purpose of which Mr. Wood explained was to clarify the Committee's roles and responsibilities; develop a work plan (written material of record entitled "Work Plan Elements" distributed at the meeting); and encourage team building. The Committee participated in a "Strength Deployment Inventory," which assists individuals in deploying their strengths when working in groups. With the aid of a Power Point presentation, Mr. Wood gave an overview on the following topics, which he and the Committee discussed: the City's Ethics and Integrity Program; the feedback from interviews (written material of record entitled "Interview Responses" distributed at the meeting); the Committee's roles and responsibilities; the development of a work plan; and the importance of team building. Mr. Wood advised that the topic of visioning to assist the Committee in looking forward to where their successes will lie, and where they would like to be in the future, will be discussed at another meeting. He clarified his role as a facilitator to help the Committee focus on the process; encourage participation; facilitate the development of a work plan; and move the Committee forward.

Ethics and Integrity Committee  
January 27, 2010

In response to questions from the Committee, Mr. Wood explained that Mayor Scotto was the only member of the Council he interviewed, in that the Council's action is reflected in the ordinance establishing the Committee and talking to other members of the Council would not have added to what needed to be accomplished in this process.

Member Montoya entertained the idea of breaking out the interview responses according to those expressed by Committee and non-Committee members.

Mr. Wood recommended against doing so, particularly since the purpose of the interviews was not to determine who said what.

Staff Liaison to the Committee Lohnes explained that the Committee's role is advisory to the Council and that part of their responsibility is to establish the Committee's vision, share it with the City Council and obtain feedback.

After reading the interview responses, Chairman Payne related his impression that non-Committee members feel the ordinance is clear and he noted that there is nothing to stop the Committee from moving forward on the transparent items in the ordinance.

Mr. Wood advised the Committee of the need to prioritize items.

Addressing a response in the "Interview Response," Deputy City Attorney Strader provided clarification on procedures for placing and adding items to meeting agendas. She cautioned the Committee against acting on an item that is not on the agenda.

Chairman Payne commented on the need for a method by which Committee members can place items on meeting agendas, such as during Oral Communications #2.

Mr. Wood advised that members can recommend placing an item on a future meeting agenda during Oral Communications #2; that a consensus of the Committee is necessary to do so; and that discussion must be limited to whether or not the item should be placed on the agenda, not the topic.

Staff Liaison Lohnes explained that City staff can place items on the meeting agendas and that this can be done without the Committee's consensus. Responding to an inquiry from Chairman Payne, she explained City protocol for providing agenda packets to the City Council, committees and commission members.

Member Gallagher related his understanding that the Committee previously asked for a review of the ordinance establishing the Committee to ensure that the Committee's interpretation is the intent of the ordinance.

Mr. Wood explained that his role is to facilitate a process whereby the ordinance will be clarified. He advised the Committee not to spend time trying to determine the intent of the ordinance, but to develop work program items and forward them to the Council.

Member Montoya stated his feeling that the intent of the ordinance should be addressed because it is unclear.

Staff Liaison Lohnes suggested that, if the Committee feels the ordinance is too constraining, they could justify their position and discuss their concerns with the Council.

Ethics and Integrity Committee  
January 27, 2010

Mr. Wood stressed the importance of determining the most effective means of dealing with the Council. He suggested that the Committee develop a work program, send it to the Council and then recommend a joint meeting with the Council. Mr. Wood distributed "Work Plan Elements" (of record) to be completed by the Committee members. He recommended that the Committee members' responses include an action-oriented goal of one sentence or less and that they be provided to staff as soon as possible for discussion at the next meeting.

Staff Liaison Lohnes asked that the "Work Plan Elements" be provided to staff no later than February 10, 2010.

In an effort to avoid redundancy, Member Matsuda related her intent to submit a copy of the top five priorities she previously submitted to staff.

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At 9:25 p.m., the Committee agreed to continue the remainder of Mr. Wood's presentation (Visioning, Development of Work Program and Identification of Next Steps in the Process) to the next meeting. Mr. Wood recommended that the next meeting be devoted to the remainder of his workshop. He departed the meeting at this time.

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Discussion returned to Agenda Item No. 3.

3. **DISCUSS AND RECOMMEND GUIDELINES FOR USE WHEN CONSIDERING APPONTMENT OF CITY STAFF AS COMMISSIONERS IN ORDER TO AVOID THE APPEARANCE OF A CONFLICT OF INTEREST**

The Committee agreed to postpone discussion of Agenda Item No. 3 until the next meeting, after the completion of Mr. Wood's workshop. The following motion was offered:

**MOTION:** Chairman Payne moved to postpone discussion of Agenda Item No. 3 to the next meeting, after the completion of Mr. Wood's workshop. The motion was seconded by Member Gotshall and passed by unanimous roll call vote:

Ayes:	Gallagher, Gotshall, Matsuda, Montoya and Chairman Payne.
Noes:	None.
Abstain:	None.
Absent:	None.

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**ORAL COMMUNICATIONS #2**

a. Chairman Payne pointed out that the wording on the front of the meeting agenda indicating that the Ethics and Integrity Committee meets on the fourth Wednesday of the last month of the quarter is incorrect, in that the Committee opted to meet monthly.

Ethics and Integrity Committee  
January 27, 2010

b. Deputy City Attorney Strader called attention to her "Response to Questions" (of record, dated January 27, 2010 addressed to Staff Liaison Lohnes), which was provided in response to questions about ethical requirements for candidates at a previous meeting, emailed to the Ethics and Integrity Committee and distributed at this meeting.

Member Matsuda thanked staff for this information.

c. In response to a question posed by Member Gallagher at a previous meeting, Staff Liaison Lohnes advised that the next employee orientation will be on March 2<sup>nd</sup> and that it is being updated to include, amongst other things, ethics. She distributed "Quick Tips for Serving the Community," a pocket-sized reminder for City employees, and indicated that information on the City Manager's message to employees delivered at the orientation will be provided at a future meeting.

d. Member Gallagher questioned the reference to a Citywide ethics program in the ordinance establishing the Ethics and Integrity Committee.

Member Matsuda voiced her impression that the Committee is to create a Citywide ethics program and that staff will assist with this process.

Deputy City Attorney Strader assured the Committee that, as this process unfolds and becomes more specific, she and staff will assist with recommendations made by the Committee. She pointed out that the Committee could ask the Council to clarify the ordinance or define certain terms included therein.

Staff Liaison Lohnes noted that the Committee's goals could include a branding component for the Ethics and Integrity Program. She affirmed that the Committee has the opportunity to make recommendations on a Citywide ethics and integrity program.

Chairman Payne voiced his understanding that the Committee agrees certain elements of the ordinance are difficult to understand.

Member Gotshall commented that the Committee has a great opportunity to ask for what they want and that they should not interpret the ordinance as limiting, but as an opportunity to be as broad as possible.

e. Member Montoya presented staff with information about ethics training provided by one of his former colleagues and he asked if the Committee would be interested in learning more about it.

Staff Liaison Lohnes stated her intent to read the information provided by Member Montoya.

f. Chairman Payne suggested that the Council's request for the Committee to discuss gifts to commissioners, committees and City Council be placed on a meeting agenda which includes other requests from the Council.

Deputy City Attorney Strader affirmed that staff is in the process of compiling information pertaining to gifts to commissioners, committees and City Council for consideration by the Committee in the future.

Ethics and Integrity Committee  
January 27, 2010

f. Member Gotshall expressed appreciation for the get-well cards and wishes during her recent recovery from surgery.

**ADJOURNMENT**

At 9:50 p.m., the meeting was adjourned to Wednesday, February 24, 2010, 6:30 p.m.

Approved as Submitted February 24, 2010 s/ Sue Herbers, City Clerk
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